

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

PLANNED PARENTHOOD SOUTH ATLANTIC, <i>et al.</i> ,	)	
	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
JOSHUA STEIN, <i>et al.</i> ,	)	Case No. 1:23-cv-00480-CCE-LPA
	)	
Defendants,	)	
	)	
and	)	
	)	
PHILIP E. BERGER, <i>et al.</i> ,	)	
	)	
Intervenor-Defendants.	)	

**PLAINTIFFS’ MOTION FOR LEAVE TO SUBMIT A PROPOSED ORDER  
UPON COMPLETION OF BRIEFING ON THE AMENDED MOTION FOR A  
PRELIMINARY INJUNCTION**

Planned Parenthood South Atlantic (“PPSAT”) and Beverly Gray, M.D., (together, “Plaintiffs”) hereby respectfully move for leave to submit a proposed order granting their amended motion for a preliminary injunction, and specifically for leave to submit this order along with their supplemental briefing following discovery on that motion, to be filed no later than September 12, 2023. Defendants do not oppose this motion. Intervenor-Defendants do not formally object, but do not consent to it.

Pursuant to the Court’s Scheduling Order, DE 37, Plaintiffs have filed an amended motion for a preliminary injunction enjoining enforcement of two components of North Carolina Session Law 2023-14 (“S.B. 20,” *see* DE 1-1) (codified as amended by Session

Law 2023-65 (“H.B. 190,” *see* DE 26-1) at N.C. Gen. Stat. art. 1I, ch. 90 (the “Act”). The Scheduling Order establishes deadlines for responsive and reply briefing on that motion, including the submission of sworn declarations and other evidence, as well as deadlines for limited written discovery and depositions. DE 37 at 1–3.

Although this District’s Local Rules do not appear to require Plaintiffs to submit a proposed order with their motion for a preliminary injunction, Plaintiffs seek leave to submit such an order for the Court’s consideration no later than September 12, 2023, after all briefing and evidentiary development regarding their amended motion for a preliminary injunction have concluded according to the terms of the Scheduling Order. Plaintiffs believe that postponing the submission of the proposed order until September 12 will allow them to incorporate more detail in support of the factual findings and legal conclusions required under Fed. R. Civ. P. 52(a).

WHEREFORE, Plaintiffs respectfully request that this Court grant them until September 12, 2023 to file a proposed preliminary injunction order consistent with their Amended Motion for a Preliminary Injunction.

Dated: July 24, 2023

Respectfully submitted,

*/s/ Hannah Swanson*

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*/s/ Kristi Graunke*

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COUNSEL FOR ALL PLAINTIFFS

*\*Special appearance filed*

## **CERTIFICATE OF SERVICE**

I hereby certify that, on July 24, 2023, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which served notice of this electronic filing to all counsel of record.

*/s/ Hannah Swanson*

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